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10/798,087	03/11/2004	Koji Kobayashi	04536.032001	6040
22511 7590 12/17/2008 OSHA LIANG L.L.P. TWO HOUSTON CENTER 909 FANNIN, SUITE 3500 HOUSTON, TX 77010				
EXAMINER DANG, HUNG Q				
ART UNIT 2621		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments filed 12/03/2008 have been considered but they are not persuasive.

On page 4, Applicant argues that the combination of Hamada and Wang fails to disclose the limitation of "wherein in the case where the marker input unit accepts the marker input while the data recorded on the disk is being reproduced by the data reproduction unit, the marker number input unit accepts the marker number which is selected from the plurality of marker numbers displayed on the display device, and the information storage unit stores, in association with the selected marker number, information of a position of reproduction on a disk being reproduced at the time point of the marker input." In response, the Examiner respectfully disagrees.

First, Hamada discloses an information storage stores information of a position of reproduction on a disk being reproduced in said disk reproduction unit by book-marking in [0142]-[0145], and [0115] (Wang also discloses this feature at column 1, lines 28-31 so that there is no difficulty to combine Hamada and Wang). Further, Wang discloses a book-marking process wherein the user can enter the bookmark mode while the program is still being played (column 1, lines 25-27). According to Wang's teachings, the user then presses a key to mark a bookmark point and memorize it (i.e. in the case where the marker input unit accepts the marker input while the data recorded on the disk is being reproduced by the data reproduction unit). Although Wang does not explicitly state it, one of ordinary skill in the art would recognize from the

quoted passage at column 1, lines 24-50 that the next available bookmark spot having the next order number from the Bookmark Spots from the display shown in Fig. 1 would be selected accordingly. Because Wang discloses such a display for user to review, the user can display such a Bookmark Spots to take a look at previously selected bookmarks, for example. He or she then enters the bookmark mode as described above to select a new bookmark. If he saw the display as shown in Fig. 1, for example, during the review, then responsive to the bookmark key pressing, the "marker number input unit" would accept the marker number 4 out of the marker numbers from 1 to 10 as the entry for the time information that is marked. Assuming at least that the display shown in Fig. 1 is not displayed anymore at the time the user presses the key, since the marker numbers 1-10 were displayed just moments ago, they still correspond to the "plurality of marker numbers displayed on the display device." In contrast to the second scenario when the disk is not being reproduced, the claim, in the first scenario of "when the data recorded on the disk is being reproduced", does not recite "wherein in the case where the marker input unit accepts the marker input while the data recorded on the disk is being reproduced, the display device displays the plurality of marker numbers ..." so that the selection could be proceeded from there. The difference between the two scenarios is clear: while in the second scenario, there is a time relationship between the action of displaying the marker numbers and the action of selecting the number. The first scenario simply is recited with no time relationship being required ("currently displayed" or "previously displayed" is still "displayed").

Therefore, the combination of Hamada and Wang clearly discloses the feature of “wherein in the case where the marker input unit accepts the marker input while the data recorded on the disk is being reproduced by the data reproduction unit, the marker number input unit accepts the marker number which is selected from the plurality of marker numbers displayed on the display device, and the information storage unit stores, in association with the selected marker number, information of a position of reproduction on a disk being reproduced at the time point of the marker input,” in contrast with Applicant’s arguments.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571)270-1116. The examiner can normally be reached on IFT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, THAI Q. TRAN can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Examiner, Art Unit 2621

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